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Plan for future ongoing monitoring and verification of Iraq's compliance with relevant parts of section C of Security Council resolution 687 (1991)

Report of the Secretary-General

I. GENERAL

A. Introduction

1. The present report is submitted in pursuance of Security Council resolution 687 (1991). In paragraph 10 of section C of that resolution, the Security Council requested the Secretary-General, in consultation with the Special Commission, to develop and submit for approval a plan for the ongoing monitoring and verification of Iraq's compliance with its obligations under that paragraph. The Plan is contained in section II of the present report.

2. As outlined in my report to the Security Council of 17 May 1991 (S/22614), the provisions of section C of resolution 687 (1991) lend themselves to a three-stage implementation procedure: gathering and assessment of information; disposal of weapons and facilities and all other items specified in paragraphs 8 and 12 of resolution 687 (1991); and ongoing monitoring and verification of Iraq's compliance. The first two stages are currently being implemented and will continue until their objectives are fully achieved.

3. The Plan submitted in the present report addresses the third stage, i.e. ongoing monitoring and verification of Iraq's compliance with its unconditional obligation not to use, retain, possess, develop, construct or otherwise acquire any weapons or related items prohibited under paragraphs 8 and 9 of resolution 687 (1991). Thus, monitoring and verification will need to cover not only military but also civilian sites, facilities, material and other items that could be used or activities that could be involved in contravention of Iraq's obligations under resolution 687 (1991). The Plan incorporates the additional obligations of Iraq under Security Council resolution 707 (1991) and the corresponding monitoring and verification activities.

4. The Plan should enter into force directly upon its approval by the Security Council, which means that the early stages of its implementation and the later stages of the disposal of existing prohibited weapons, facilities and related items would take place simultaneously. This would, at an early stage, prevent Iraq from developing new capabilities regarding the relevant weapons categories, thus already closing a potential loophole during the first stages of the implementation of section C of resolution 687 (1991). Carefully managed use of available resources would make it possible to carry out the dual tasks in parallel, to great effect. With the gradual completion of the disposal of Iraq's present weapons capabilities, resources can gradually be transferred and streamlined without therefore, at any stage, compromising the efficiency of the verification of Iraq's compliance with its obligations under resolutions 687 (1991) and 707 (1991). In paragraph 14 of its resolution 687 (1991) the Security Council noted that the actions to be taken by Iraq in paragraphs 8, 9, 10, 11, 12 and 13 of that resolution "represent steps towards the goal of establishing in the Middle East a zone free from weapons of mass destruction and all missiles for their delivery and the objective of a global ban on chemical weapons". The implementation of the Plan, developed pursuant to paragraph 10 of resolution 687 (1991), will contribute to an environment conducive to achieving the above-mentioned goal and objective.

B. Institutional and organizational aspects

5. Bearing in mind that resolutions 687 (1991) and 707 (1991) were adopted by the Security Council acting under Chapter VII of the Charter of the United Nations, it is assumed that the task of carrying out the monitoring and verification provided for under the Plan should be entrusted to an executive body under the authority of the Security Council. This is particularly important should any situation arise of non-compliance by Iraq with its obligations under section C of resolution 687 (1991) and under resolution 707 (1991).

6. The intrinsic interrelationship between paragraphs 8, 9 and 10 of resolution 687 (1991) requires that this body make direct use of the expertise, the information gathered and assessed and the experience gained by the Special Commission established as a subsidiary organ of the Security Council pursuant to paragraph 9 of resolution 687 (1991).

7. In view of these considerations, it would appear most practical and efficient that a compliance unit be organized under the Special Commission in order to carry out the monitoring and verification tasks provided for under the Plan. The present arrangements for staffing would continue on a revised scale, with appropriate support from the Department for Disarmament Affairs. The financing of the Plan would have to be determined by the competent United Nations organs, possibly in the same way as the arrangements agreed upon for the present phase of the Special Commission's work.

8. The operational requirements will be similar to those now in place for the Special Commission. These include a staff at the United Nations Headquarters in New York to assist the Executive Chairman of the Special Commission, compile and analyse information, schedule, plan and organize inspections and aerial overflights, prepare other field operations and provide general administrative support. A staff will be needed in the region to provide logistic, administrative and other support for field operations in Iraq.

C. Cooperation with the Security Council Committee established by resolution 661 (1990) concerning the situation between Iraq and Kuwait

9. Through resolution 661 (1990) and subsequent related resolutions, including resolution 687 (1991), inter alia, its section F, a comprehensive set of sanctions was established to be implemented by all States against Iraq. The prohibition of the acquisition by Iraq of any weapons and related items specified in paragraphs 8 and 12 of resolution 687 (1991) and of the sale or supply to Iraq by other States of these items is of unlimited duration. However, it cannot be excluded that the Security Council, at a future date, may wish to review the present sanctions regarding items with dual use, i.e. items that could be used for prohibited as well as non-prohibited purposes. In order to ensure that such items are not used for prohibited purposes, the Plan submitted in the present report includes specific provisions for the monitoring and verification, from within Iraq, of any eventual import by Iraq of relevant items with dual use.

10. The efficacy of these provisions would be enhanced if they were complemented by transparency and timely information as regards any future sale or supply by other States to Iraq of relevant items with dual use. Such a comprehensive approach would call for the development of a mechanism that:

(a) Upholds the prohibition on the sale and supply to Iraq by other States of any weapons or related items prohibited under section C of resolution 687 (1991);

(b) Provides for timely information about any sale or supply to Iraq by other States of items that could be used not only for permitted purposes but also for purposes prohibited under resolution 687 (1991).

11. The Plan submitted in the present report contains in its annexes lists of items relevant to the monitoring and verification, from within Iraq, of prohibited items as well as of items with dual use. These should be taken into account in the development of a mechanism related to the sale or supply of items to Iraq by other countries.

12. Such a mechanism should be developed with the cooperation of the Special Commission, the Director General of the International Atomic Energy Agency and the Committee established by resolution 661 (1990) at the earliest possible date, and not later than before the lifting of sanctions covering relevant items.

II. THE PLAN

A. Scope

13. In accepting unconditionally Security Council resolution 687 (1991), Iraq has undertaken not to use, retain, possess, develop, construct or otherwise acquire:

(a) Any chemical or biological weapons or any stocks of agents or any related subsystems or components or any research, development, support or manufacturing facilities;

(b) Any ballistic missiles with a range greater than 150 kilometres or any related major parts, including launchers, or any repair or production facilities.

14. In order to ensure Iraq's compliance with these undertakings, the Special Commission, pursuant to resolutions 687 (1991) and 707 (1991), shall, through inspections and through aerial overflights, as well as through the provision of information by Iraq, monitor and verify that activities, sites, facilities, material and other items, both military and civilian, are not used by Iraq in contravention of its obligations under resolutions 687 (1991) and 707 (1991).

15. To this end, the provisions set forth in the Plan and its annexes, which constitute an integral part of the Plan, shall apply.

B. General provisions

1. Information

16. Iraq shall:

(a) Provide to the Special Commission, on a regular basis, full, complete, correct and timely information on activities, sites, facilities, material and other items, both military and civilian, that might be used for purposes prohibited under paragraph 10 of resolution 687 (1991);

(b) Provide to the Special Commission full, complete, correct and timely information on any additional activities, sites, facilities, material or other items that the Commission may designate for provision of information on a regular basis;

(c) Provide to the Special Commission, fully, completely, and promptly, any additional information or clarification that the Commission may request and respond fully, completely and promptly to any questions or requests from the Special Commission.

Further provisions related to the submission of information are set forth in sections C, D and E and in annexes II, III and IV of the Plan.

2. Inspections and aerial overflights

17. The Special Commission shall have the right:

(a) To designate for inspection any site, facility, activity, material or other item in Iraq;

(b) To carry out inspections, at any time and without hindrance, of any site, facility, activity, material or other item in Iraq;

(c) To conduct unannounced inspections and inspections at short notice;

(d) To inspect any number of declared or designated sites or facilities simultaneously or sequentially;

(e) To designate for aerial overflight any area, location, site or facility in Iraq;

(f) To conduct, at any time and without hindrance, both fixed-wing and rotary-wing flights throughout Iraq for all relevant purposes, including inspection, surveillance, aerial overflights (surveys), transportation and logistics without interference of any kind and upon such terms and conditions as may be determined by the Special Commission;

(g) To make full use of its own aircraft with appropriate sensors as necessary and such airfields in Iraq as the Special Commission may determine are most appropriate for its work;

(h) To consider and decide upon requests by Iraq to move or destroy any material, equipment or item relating to its nuclear, chemical or biological weapons or ballistic missile programmes, or material, equipment or any item relating to its other nuclear activities.

18. Iraq shall:

(a) Accept unconditionally the inspection of any site, facility, activity, material or other item declared by Iraq or designated by the Special Commission;

(b) Accept unconditionally aerial overflight of any area, location, site or facility designated by the Special Commission;

(c) Provide immediate and unimpeded access to any site, facility, activity, material or other item to be inspected;

(d) Accept unconditionally and cooperate with the Special Commission in conducting fixed-wing and rotary-wing flights throughout Iraq for all relevant purposes, including inspection, surveillance, aerial overflights (surveys), transportation and logistics upon the terms and conditions determined by the Special Commission;

(e) Accept unconditionally the Special Commission's determinations regarding use of the Commission's aircraft with appropriate sensors as necessary and airfields in Iraq for such aircraft;

(f) Not obstruct aerial overflights or take concealment measures at any area, location, site or facility designated by the Special Commission for inspection or overflight;

(g) Accept unconditionally the inspectors and all other personnel designated by the Special Commission and ensure the complete implementation of the privileges, immunities and facilities of the personnel of the Special Commission and their complete safety and freedom of movement;

(h) Cooperate fully with the Special Commission and facilitate its inspections, overflights and other activities under the Plan;

(i) Accept unconditionally the rights of the Special Commission under the Plan and not take any action to interfere with, impede, or obstruct the exercise by the Special Commission of its functions and rights under Security Council resolutions 687 (1991), 707 (1991) and the Plan;

(j) Designate its Inspection Representative for each inspection to accompany the inspection team in Iraq;

(k) Invite and accept unconditionally the decision of the Special Commission on any requests by Iraq to move or destroy any material, equipment or item relating to its nuclear, chemical or biological weapons or ballistic missile programmes, or material, equipment or any item relating to its other nuclear activities.

19. Further provisions on inspections, aerial overflights, security, privileges and immunities and related provisions are set forth in annex I.

3. National implementation measures

20. Iraq shall adopt the necessary measures to implement its obligations under section C of resolution 687 (1991), resolution 707 (1991) and the Plan, in particular:

(a) To prohibit all natural and legal persons under Iraq's jurisdiction or control from undertaking anywhere any activity that is prohibited for Iraq by resolutions 687 (1991), 707 (1991), by other related Security Council resolutions or by the Plan;

(b) To enact penal legislation which, in conformity with international law, shall extend to the activities referred to under subparagraph (a) above undertaken anywhere by any natural or legal persons under Iraq's jurisdiction or control.

21. Iraq shall inform the Special Commission of legislative and administrative measures taken to implement resolutions 687 (1991), 707 (1991), other relevant Security Council resolutions and the Plan, not later than 30 days after the approval by the Security Council of the Plan and thereafter as determined by the Special Commission.

4. Non-compliance

22. Should the Special Commission discover any item, including any documentation, that Iraq, under resolution 687 (1991), is obliged to destroy or to yield to the Special Commission for destruction, removal or rendering harmless, the Special Commission shall have the right to take it into custody and shall provide for its disposal, as appropriate. Iraq shall retain no ownership interest in items to be destroyed, removed or rendered harmless pursuant to resolution 687 (1991) and the Plan.

23. Should the Special Commission discover any activity taking place in contravention of resolutions 687 (1991), 707 (1991) or of the Plan, it shall have the right to call upon Iraq to halt the activity and to prevent its recurrence. The Special Commission shall also have the right to take any prohibited item involved, including any documentation, into custody and shall provide for its disposal, as appropriate.

24. Findings by the Special Commission that indicate that Iraq is not in compliance with its obligations under resolutions 687 (1991) and 707 (1991) or the Plan shall be brought to the attention of the Security Council.

5. Reports

25. The Special Commission shall, through the Secretary-General, report to the Security Council every six months on the implementation of the Plan and at any other time the Security Council may request.

6. Revisions

26. The Plan may only be revised by the Security Council. The Special Commission may, however, after informing the Security Council, update and revise the annexes in the light of information and experience gained in the course of the implementation of resolutions 687 (1991) and 707 (1991) and of the Plan. The Special Commission shall inform Iraq of any such change.

7. Entry into force and duration

27. The Plan shall enter into force immediately upon its approval by the Security Council. The duration of the Plan shall be determined by the Security Council.

C. Provisions related to chemical items

28. Chemicals, equipment and facilities set forth herein and in annex II could be used for purposes related to chemical weapons. They shall therefore be subject to monitoring and verification in accordance with the following additional provisions in order to ensure that Iraq does not use, develop, produce or otherwise acquire chemical weapons or related items prohibited under resolution 687 (1991).

29. Chemicals that could be used for the development, production or acquisition of chemical weapons but which also have significant uses for purposes not prohibited by resolution 687 (1991) are set forth in list A in annex II. These chemicals may be used, developed, produced, stored or acquired solely for purposes not prohibited by resolution 687 (1991), subject to the provisions under paragraphs 30 and 31 below, and annex II.

30. Iraq shall, not later than 30 days after the adoption of the Plan by the Security Council, and on a regular basis thereafter, provide to the Special Commission information in accordance with annex II regarding:

(a) The total national quantity of the production, processing or consumption of any chemical specified in list A of annex II and of the import and export of any of these chemicals specifying the supplier or recipient countries involved;

(b) Any site or facility that is involved in production, processing, consumption, storage, import or export of one tonne or more per year of any chemical specified in list A of annex II or that at any time has been involved in activities with any of these chemicals for chemical weapons purposes;

(c) Any site or facility that is involved in production or processing of organophosphorus chemicals or is involved in production of organic chemicals by chlorination;

(d) Any site or facility where production, processing, consumption, storage, import or export of one tonne or more per year of any chemical specified in list A of annex II, or where production or processing of organophosphorus chemicals or where production of organic chemicals by chlorination is planned;

(e) Any import or any other acquisition of equipment or technologies intended for production and processing of any chemical specified in list A of annex II, of any organophosphorus chemical or for production of organic chemicals by chlorination.

31. Should Iraq plan any production, processing, consumption, storage, import or export not notified under paragraph 30 (d) above, it may begin such an activity only after providing to the Special Commission a special notification in accordance with annex II.

32. Chemicals that have little or no use except as chemical warfare agents or for the development, production or acquisition of chemical weapons or which have been used by Iraq as essential precursors for chemical weapons are set forth in list B of annex II. Iraq shall not retain, use, transfer, develop, produce, store, import or otherwise acquire these chemicals. Should Iraq require any chemical specified in list B of annex II, it shall submit a request to the Special Commission specifying precisely the chemical and the quantities required, the site or facility where it is to be used and the purpose of its use. The Special Commission will examine and decide on the request and establish the special arrangements it considers consistent with resolution 687 (1991).

33. Further provisions related to chemical items are set forth in annex II.

D. Provisions related to biological items

34. Micro-organisms and toxins, equipment and facilities set forth herein and in annex III could be used for purposes related to biological and toxin weapons affecting humans, animals or plants. They shall therefore be subject to monitoring and verification in accordance with the following additional provisions in order to ensure that Iraq does not use, develop, produce or otherwise acquire biological and toxin weapons or related items prohibited under resolution 687 (1991).

35. Iraq shall, not later than 30 days after the adoption of the Plan by the Security Council, and on a regular basis thereafter, provide to the Special Commission information in accordance with annex III regarding:

(a) Any site or facility at which work with toxins or with micro-organisms meeting the criteria for risk groups IV, III or II according to the classification in the 1983 World Health Organization (WHO) Laboratory Biosafety Manual is carried out, or any site or facility at which work with genetic material coding for toxins or genes derived from the aforementioned micro-organisms is carried out;

(b) Any site or facility having a laboratory (unit) meeting the criteria for a "maximum containment laboratory" or "containment laboratory" as specified in the 1983 WHO Laboratory Biosafety Manual, such as those designated as biosafety level 4 (BL4) or P4, biosafety level 3 (BL3) or P3 or equivalent standards and any site or facility being constructed or modified so as to possess such containment capabilities;

(c) Any site or facility at which fermentation or other means for the production of micro-organisms or toxins using vessels larger than 10 litres individually or 40 litres in the aggregate is carried out;

(d) Any site or facility for the bulk storage of toxins or of micro-organisms meeting the criteria for risk groups IV, III or II;

(e) Any site or facility for the production of vaccines;

(f) Any research, development, testing or other support or manufacturing facility for equipment and other items specified in paragraph 1 of annex III;

(g) Any imports, other acquisition or exports of micro-organisms meeting the criteria for risk groups IV, III and II, toxins and vaccines, as well as related equipment and facilities, specifying the supplier or recipient countries involved.

36. Iraq shall, not later than 30 days after the adoption of the Plan by the Security Council, and on a regular basis thereafter, provide to the Special Commission:

(a) A list of all documents of a scientific and technical nature published or prepared by any site or facility engaged in work relating to toxins or micro-organisms meeting the criteria for risk groups IV, III and II, including those of a theoretical nature. Full copies of such documents shall be made available by Iraq to the Special Commission upon request. Documents of a purely diagnostic nature relating to risk group II micro-organisms are excepted;

(b) A description of all work on toxins or micro-organisms meeting the criteria for risk groups IV, III or II as well as of all work being conducted on the dissemination of micro-organisms or toxins into the environment or on processes that would lead to such dissemination, specifying the site or facility involved.

37. Iraq shall provide to the Special Commission in accordance with annex III information on all cases of infectious diseases affecting humans, animals or plants, that deviate, or seem to deviate, from the normal pattern or are caused by any micro-organism meeting the criteria for risk groups IV and III and on all cases of similar occurrences caused by toxins.

38. Iraq shall not:

(a) Import items referred to in paragraph 35 (g) above without giving prior notice to the Special Commission in accordance with annex III. As an exception, the emergency import of vaccines may take place with simultaneous notification to the Special Commission;

(b) Conduct any activities in the field of micro-organisms and toxins except by civilian personnel not in the employ of any military organization. Such activities shall be conducted openly; no classified or secret programmes or activities shall be permitted. The sites or facilities engaged in such activities shall not be under the control of, or owned by, any military organization. Should any military organization need to be involved in such activities for prophylactic or therapeutic purposes, Iraq shall submit a request to the Special Commission specifying precisely the toxins, micro-organisms and the quantities required, the site or facility where they

are to be used and the purpose of their use. The Special Commission will examine and decide on the request and establish the special arrangements it considers consistent with resolution 687 (1991);

(c) Conduct activities on diseases other than those indigenous to or immediately expected to break out in its environment;

(d) Conduct any breeding of vectors of human, animal or plant diseases. Should Iraq need to conduct any such activity, Iraq shall submit a request to the Special Commission specifying precisely its requirements, the vectors to be bred, the site or facility where the activity is to take place and the purpose of the activity. The Special Commission will examine and decide on the request and establish the special arrangements it considers consistent with resolution 687 (1991);

(e) Possess at any one time more than one facility having a laboratory (unit) meeting the criteria for a "maximum containment laboratory" as specified in the 1983 WHO Laboratory Biosafety Manual, such as those designated as biosafety level 4 (BL4) or P4 or equivalent standard. Iraq shall not possess at any one time more than two facilities having a laboratory (unit) meeting the criteria for a "containment laboratory", such as those designated as BL3 or P3 or equivalent standard. Should Iraq require any additional such facilities, Iraq shall submit a request to the Special Commission specifying the precise requirement. The Special Commission will examine and decide on the request and establish the special arrangements it considers consistent with resolution 687 (1991).

39. Further provisions related to biological items are set forth in annex III.

E. Provisions related to missiles

40. Facilities, equipment, other items and technologies set forth herein and in annex IV could be used for the development, construction, modification or acquisition of ballistic missiles with a range greater than 150 kilometres. They shall therefore be subject to monitoring and verification in accordance with the following additional provisions in order to ensure that Iraq does not use, develop, construct or acquire any ballistic missiles with a range greater than 150 kilometres or related items prohibited under resolution 687 (1991).

41. The prohibition applies to any ballistic missiles or missile delivery systems capable of such a range regardless of payload and to any related major parts, which include missile/rocket stages, re-entry vehicles, solid- or liquid-fuel motors, guidance sets, thrust vector controls, warheads and fusing systems, launchers capable of launching ballistic missiles with a range greater than 150 kilometres and related principal launch equipment, missile transporters and other ground support equipment for such missiles. The prohibition also applies to modification of any missile or any missile delivery system to a ballistic missile with a range greater than 150 kilometres. The prohibition also applies to launch technologies such as tube- or gun-type launchers, which enable such ranges to be achieved.

42. Iraq shall not construct, otherwise acquire or operate sites or facilities for the use, development, production, training or other support of ballistic missiles capable of a range greater than 150 kilometres, including sites or facilities for research, development, modification, manufacture, assembly, testing, storage, repair, training, flight simulating and operational use of such missiles, nor acquire related major parts specified in paragraph 41 and the items listed in paragraph 1 of annex IV for such missiles.

43. Iraq shall, not later than 30 days after the adoption of the Plan by the Security Council, and on a regular basis thereafter, provide to the Special Commission the following:

(a) A list of all its missiles designed for use, or capable of being modified for use, in a surface-to-surface role with a range greater than 50 kilometres, specifying their name and type, type of propulsion, number of stages and/or boosters, guidance systems, payload, warhead and re-entry vehicle types, launcher types, airframe and warhead transporter, ground support equipment and the sites or facilities where these missiles, items or equipment are located;

(b) Information on any project and on any site or facility for such missiles, including sites or facilities for production, assembly, repair and maintenance, storage and operational bases, specifying their locations;

(c) Information on any project and on any site or facility for missile research, development, modification or testing, specifying its locations;

(d) Information on the development, production, export, import or other acquisition, training or other services related to the items, equipment and technologies listed in annex IV, specifying sites or facilities where such items, equipment and technologies are located, the purposes and the projects for which they are being used and the supplier or recipient countries involved.

44. Iraq shall notify the Special Commission in accordance with annex IV of the developmental or test launch of any missile, specifying where and when the launch is to take place.

45. Further provisions related to missiles are set forth in annex IV.

Annex I

Detailed provisions related to inspections, aerial overflights, security, privileges and immunities

1. In addition to the basic rights and obligations set forth in paragraphs 17 and 18 of the Plan, the provisions set out in this annex shall apply.

Scope

2. The Special Commission shall have the right:

(a) To secure any site to be inspected and prevent any material or other item from being taken to or from the site until the inspection is concluded;

(b) To stop and inspect vehicles, ships, aircraft or any other means of transportation within Iraq, any material or other item in movement and to restrict and/or stop movement of material or other items;

(c) To inspect imports or exports of material and other items upon arrival or departure;

(d) To establish special modes of monitoring and verification, including prolonged or continuous presence of inspectors, use of instruments and other arrangements to facilitate monitoring and verification;

(e) To secure full and free access at any time to all sites, facilities, areas, locations, activities, material and other items, including documentation, all persons and all information which, in its judgement, may be necessary for its monitoring and verification activities.

Notification

3. The Special Commission shall, at a time it considers appropriate, notify Iraq of:

(a) The site, facility, activity, material or other item to be inspected;

(b) The name of the head of the inspection team (the Chief Inspector) and the estimated number of personnel who will take part in the inspection;

(c) The estimated time of departure and arrival of any flight from, to or within Iraq, and other appropriate details, by any aircraft used by the Special Commission.

4. Iraq shall, upon receipt of the name of the Chief Inspector for an inspection, immediately inform the Special Commission of the name of the individual who will be the Iraqi Inspection Representative for the inspection.

Conduct of inspections or aerial overflights

5. The Special Commission shall have the right:

(a) To request, receive, examine, copy and remove any record, data, information or documentation and to verify inventories;

(b) To examine, retain, move or photograph, including by videotaping, any activity or item;

(c) To conduct interviews with any personnel at a site or facility under inspection, or with any Iraqi official;

(d) To install containment, surveillance and other equipment and devices and to construct facilities for inspection, observation, testing, verification or monitoring activities;

(e) To take samples of any kind and perform on-site analyses of the samples using its own equipment;

(f) To remove and transfer samples outside Iraq for analyses off-site at laboratories of its choice;

(g) To mark, tag or otherwise identify any material or other item;

(h) To use its own instrumentation to collect data during inspections and aerial overflights, including photographic, video, infrared and radar data.

6. Iraq shall:

(a) Provide clarification or explanation of any ambiguity that might arise during an inspection;

(b) Perform, upon request by the Special Commission, analyses of samples in the presence of inspectors, including on-site;

(c) Perform, upon request by the Special Commission, any additional task.

Travel, transport and communications

7. The Special Commission shall have the right:

(a) To unrestricted freedom of entry into and exit from Iraq, without delay or hindrance, for all its personnel, property, supplies, equipment, spare parts, means of transport, material and other items. No visa shall be required of such personnel travelling on United Nations laissez-passer or certificate and possessing an inspection assignment document; Iraq shall ensure prompt issuance of visas of entry and exit for such personnel as may not possess a United Nations laissez-passer or certificate;

(b) To unrestricted freedom of movement within Iraq, without advance notice, delay or hindrance, for all its personnel, property, supplies, equipment, spare parts, means of transport, material and other items;

(c) To fly the United Nations flag on its premises and means of transport;

(d) To use its own means of transport, including fixed- and rotary-wing aircraft, throughout Iraq for all relevant purposes, including inspection, surveillance, aerial overflights (surveys), transportation and logistics;

(e) To use airfields in Iraq for the purposes determined by the Special Commission including landing, take-off, basing, maintenance, refuelling and other support;

(f) To communicate from any place within Iraq, and without censorship or other hindrance, by radio, satellite or other forms of communication, and to connect with the United Nations by its radio and satellite network, as well as by telefax, telephone, telegraph and other means;

(g) To use codes and receive papers, correspondence and other items by courier or sealed bags;

(h) To unrestricted freedom to remove from Iraq, without delay or hindrance, any material or other item, including any documentation, acquired during inspection or other monitoring and verification activities.

8. Iraq shall:

(a) Permit, without delay or hindrance, the Special Commission's personnel, property, supplies, equipment, spare parts, means of transport, material and other items to move within Iraq, without advance notice, as well as to enter or leave Iraq, promptly issuing entry and exit visas if required on national passports and accepting United Nations laissez-passers or United Nations certificates as valid travel documents without requiring visas;

(b) Accept United Nations registration of means of transport on land, sea and in the air and United Nations licensing of the operators thereof;

(c) Provide priority clearance, as well as the basing and all necessary facilities as determined by the Special Commission for any fixed- or rotary-wing aircraft used by the Commission;

(d) Provide, upon the request of the Special Commission, the means of transport, maps or other information needed;

(e) Take every necessary measure to ensure that the inspection team arrives at the site or facility to be inspected by the time notified by the Special Commission;

(f) Provide, upon the request of the Special Commission, appropriate means of communication;

(g) Provide, upon request of the Special Commission, appropriate escort and/or support personnel;

(h) Provide, upon request of the Special Commission, medical, logistical and/or technical support;

(i) Not interfere with or censor any communication to or from the Special Commission or its personnel;

(j) Permit, without delay or hindrance, the Special Commission to remove from Iraq any material or other item, including any documentation, acquired by the Commission during inspection or other monitoring and verification activities.

Security, privileges and immunities

9. The Special Commission shall have the right to make its own arrangements to ensure the safety and security of its personnel and property and to take custody of any material or other item, including documentation.

10. Iraq shall ensure the safety and security of the personnel and property of the Special Commission and shall provide the arrangements to this end when so requested by the Special Commission.

11. In addition and without prejudice to the foregoing provisions, the Special Commission and any agency of the United Nations system participating in the carrying out of the Plan, its property, funds, assets and personnel shall enjoy the facilities, privileges and immunities provided for in the applicable convention or agreement, namely the Convention on the Privileges and Immunities of the United Nations, the Agreement on the Privileges and Immunities of the International Atomic Energy Agency (IAEA) and the Convention on the Privileges and Immunities of the Specialized Agencies.

12. Iraq shall extend to:

(a) The officers and other members of the Special Commission the privileges and immunities, exemptions and facilities that are enjoyed by diplomatic envoys in accordance with international law;

(b) The officials of the United Nations, of IAEA and any of the specialized agencies of the United Nations, performing functions in connection with the implementation of the Plan, the privileges and immunities applicable to them under articles V and VII of the Convention on the Privileges and Immunities of the United Nations; or articles VI and IX of the Agreement on the Privileges and Immunities of the International Atomic Energy Agency; or articles VI and VIII of the Convention on the Privileges and Immunities of the Specialized Agencies;

(c) The technical experts and other specialists performing functions in connection with the implementation of the Plan the privileges and immunities accorded to experts performing missions for the United Nations, for IAEA or for the specialized agencies of the United Nations under article VI of the Convention on the Privileges and Immunities of the United Nations, article VII of the Agreement on the Privileges and Immunities of the International Atomic Energy Agency, and the relevant annexes to the Convention on the Privileges and Immunities of the Specialized Agencies, respectively.

Other provisions

13. Iraq shall designate the Iraqi authority responsible for liaison with the Special Commission and shall inform the Special Commission of the name or names of the liaison officers within that authority who shall have the full power and shall take the necessary measures to secure for the Special Commission the effective implementation of the Commission's rights laid down in the Plan.

14. The official points of contact between Iraq and the Special Commission during the course of an inspection shall be the Chief Inspector designated by the Special Commission and the Inspection Representative designated by Iraq.

15. Iraq shall provide, at no cost to the Special Commission, in agreement with the Special Commission, all such premises as may be necessary for the accommodation and fulfilment of the functions of the Special Commission in Iraq. All such premises shall be inviolable and subject to the exclusive control and authority of the Special Commission.

16. All information provided by, and communications from, Iraq to the Special Commission under the Plan shall include the corresponding text in English.

17. For the purposes of the performance of the functions of the Special Commission in implementation of the Plan, the rights, facilities, privileges and immunities conferred in the Plan where necessary supplement and elaborate

upon the rights, facilities, privileges and immunities provided for in the exchange of notes between the Secretary-General of the United Nations and the Minister for Foreign Affairs of Iraq, which entered into force on 14 May 1991, regarding the status, privileges and immunities of the Special Commission as originally established pursuant to paragraph 9 of Security Council resolution 687 (1991).

Annex II

Provisions related to chemical items

1. The following list contains chemicals that could be used for the development, production or acquisition of chemical weapons, but which also have significant uses for purposes not prohibited by resolution 687 (1991):

	List A	Chemical Abstracts Service (CAS) registry No.
1.	Chemicals, except for those chemicals specified in list B of this annex, containing a phosphorus atom to which is bonded one methyl, ethyl or propyl (normal or iso) group but not further carbon atoms	
2.	Dialkyl (Me, Et, n-Pr or i-Pr) N,N-dialkyl (Me, Et, n-Pr or i-Pr)-phosphoramidates	
3.	Arsenic trichloride	(7784-34-1)
4.	2,2-Diphenyl-2-hydroxyacetic acid	(76-93-7)
5.	Quinuclidin-3-ol	(1619-34-7)
6.	N,N-Dialkyl (Me, Et, n-Pr or i-Pr) aminoethyl-2-chloride and corresponding protonated salts	
7.	N,N-Dialkyl (Me, Et, n-Pr or i-Pr) aminoethane-2-ol and corresponding protonated salts	
8.	N,N-Dialkyl (Me, Et, n-Pr or i-Pr) aminoethane-2-thiol and corresponding protonated salts	
9.	Amiton: O,O-Diethyl S-(2-(diethylamino)ethyl) phosphorothiolate and corresponding alkylated and protonated salts	(78-53-5)
10.	PFIB: 1,1,3,3,3-pentafluoro-2-(trifluoromethyl)-1-propene	(382-21-8)
11.	Phosgene	(75-44-5)

List A		Chemical Abstracts Service (CAS) registry No.
12.	Cyanogen chloride	(506-77-4)
13.	Hydrogen cyanide	(74-90-8)
14.	Trichloronitromethane (chloropicrin)	(76-06-2)
15.	Phosphorus oxychloride	(10025-87-3)
16.	Phosphorus trichloride	(7719-12-2)
17.	Phosphorus pentachloride	(10026-13-8)
18.	Trimethyl phosphite	(121-45-9)
19.	Triethyl phosphite	(122-52-1)
20.	Dimethyl phosphite	(868-85-9)
21.	Diethyl phosphite	(762-04-9)
22.	Sulphur monochloride	(10025-67-9)
23.	Sulphur dichloride	(10545-99-0)
24.	Thionyl chloride	(7719-09-7)
25.	Cyclohexanol	(108-93-0)
26.	Hydrogen fluoride	(7664-39-3)
27.	Ortho-chlorobenzylidenemalononitrile (CS)	(2698-41-1)
28.	Potassium fluoride	(7789-23-3)
29.	Ammonium bifluoride	(1341-49-7)
30.	Sodium bifluoride	(1333-83-1)
31.	Sodium fluoride	(7681-49-4)
32.	Sodium sulphide	(1313-82-2)
33.	Chloroethanol	(107-07-3)
34.	Dimethylamine	(124-40-3)

List A	Chemical Abstracts Service (CAS) registry No.
35. Dimethylamine hydrochloride	(506-59-2)
36. Potassium cyanide	(151-50-8)
37. Sodium cyanide	(143-33-9)
38. Tri-ethanolamine	(102-71-6)
39. Di-isopropylamine	(108-18-9)

2. The following list contains chemicals that have little or no use except as chemical warfare agents or for the development, production or acquisition of chemical weapons, or which have been used by Iraq as essential precursors for chemical weapons:

List B	Chemical Abstracts Service (CAS) registry No.
1. O-Alkyl ($\leq C_{10}$, incl. cycloalkyl) alkyl (Me, Et, n-Pr or i-Pr)-phosphonofluoridates	
e.g. Sarin: O-isopropyl methylphosphonofluoridate	(107-44-8)
Soman: O-pinacolyl methylphosphonofluoridate	(96-64-0)
2. O-Alkyl ($\leq C_{10}$, incl. cycloalkyl) N,N-dialkyl (Me, Et, n-Pr or i-Pr) phosphoramidocyanidates	
e.g. Tabun: O-ethyl N,N-dimethylphosphoramidocyanidate	(77-81-6)
3. O-Alkyl (H or $\leq C_{10}$, incl. cycloalkyl) S-2-dialkyl (Me, Et, n-Pr or i-Pr)-aminoethyl alkyl (Me, Et, n-Pr or i-Pr) phosphonothiolates and corresponding alkylated and protonated salts	
e.g. VX: O-ethyl S-2-diisopropylaminoethyl methylphosphonothiolate	(50782-69-9)

List B	Chemical Abstracts Service (CAS) registry No.
4. Sulphur mustards:	
2-Chloroethylchloromethylsulphide	(2625-76-5)
bis(2-chloroethyl)sulphide:	
Mustard gas (H)	(505-60-2)
bis(2-chloroethylthio)methane	(63869-13-6)
1,2-bis(2-chloroethylthio)ethane:	
Sesquimustard (Q)	(3563-36-8)
1,3-bis(2-chloroethylthio)-n-propane	(63905-10-2)
1,4-bis(2-chloroethylthio)-n-butane	
1,5-bis(2-chloroethylthio)-n-pentane	
bis(2-chloroethylthiomethyl)ether	
bis(2-chloroethylthioethyl)ether:	
O-Mustard (T)	(63918-89-8)
5. Lewisites:	
Lewisite 1: 2-chlorovinyldichlorarsine	(541-25-3)
Lewisite 2: bis(2-chlorovinyl) chloroarsine	(40334-69-8)
Lewisite 3: tris(2-chlorovinyl)arsine	(40334-70-1)
6. Nitrogen mustards:	
HN1: bis(2-chloroethyl)ethylamine	(538-07-8)
HN2: bis(2-chloroethyl)methylamine	(51-75-2)
HN3: tris(2-chloroethyl)amine	(555-77-1)
7. 3-Quinuclidinyl benzilate (BZ)	(6581-06-2)
8. Saxitoxin	(35523-89-8)
9. Ricin	
10. Alkyl (Me, Et, n-Pr or i-Pr) phosphonyldihalides	
e.g. methylphosphonyldifluoride	(676-99-3)
methylphosphonyldichloride	(676-67-1)
11. Dimethylmethylphosphonate	(756-79-6)
12. O-Alkyl (H or $\leq C_{10}$, incl. cycloalkyl) O-2-dialkyl (Me, Et, n-Pr or i-Pr)-aminoethyl alkyl (Me, Et, n-Pr or i-Pr) phosphonites and corresponding alkylated salts and protonated salts	
e.g. QL: O-ethyl O-2-diisopropylaminoethyl methylphosphonite	(57856-11-8)

List B	Chemical Abstracts Service (CAS) registry No.
13. O-Alkyl ($\leq C_{10}$, incl. cycloalkyl) alkyl (Me, Et, n-Pr or i-Pr)-phosphonochloridates	
e.g. Chloro Sarin: O-isopropyl methylphosphonochloridate	(1445-76-7)
Chloro Soman: O-pinacolyl methylphosphonochloridate	(7040-57-5)
14. N,N-Dialkyl (Me, Et, n-Pr or i-Pr) phosphoramidic dihalides	
15. Bis(2-hydroxyethyl)sulphide (thiodiglycol)	(111-48-8)
16. 3,3-Dimethylbutan-2-ol (pinacolyl alcohol)	(464-07-3)

3. The initial information under paragraph 30 of the Plan to be provided not later than 30 days after the adoption of the Plan by the Security Council shall cover the period from 1 January 1988. Subsequent information shall be provided each 15 January and 15 July and shall cover the six-month period prior to the provision of the information. The advance notifications under paragraph 30 (d) of the Plan shall cover the subsequent six months. The special notifications under paragraph 31 of the Plan shall be provided not later than 30 days in advance.

4. Whenever the information that Iraq is required to provide under section C of the Plan and this annex is equal to nil, Iraq shall provide nil returns.

5. The information on chemicals to be provided under section C of the Plan shall for each chemical include:

(a) The chemical name, common or trade name used by the site or the facility, structural formula and Chemical Abstracts Service registry number (if assigned);

(b) The purposes for which the chemical is produced, processed, consumed, stored, imported or exported;

(c) The total amount produced, processed, consumed, stored, imported or exported.

6. The information on sites or facilities to be provided under section C of the Plan shall for each site or facility include:

(a) The name of the site or facility and of the owner, company or enterprise operating the site or facility;

(b) The location of the site or facility;

(c) A general description of all types of activities at the site or facility;

(d) The sources and amounts of the financing of the site or facility, and of its activities.

7. The location of a site or facility shall be specified by means of the address and a site diagram. Each diagram shall be drawn to scale and shall indicate the boundaries of the site or facility, all road and rail entrances and exits and all structures on the site or facility, indicating their purpose. If the site or facility is located within a larger complex, the diagram shall specify the exact location of the site or facility within the complex. On each diagram, the geographic coordinates of a point within the site or facility shall be specified to the nearest second.

8. In addition to information specified in paragraph 6 of this annex, the following information shall be provided for each site or facility that is or will be involved in production, processing, consumption, storage, import or export of chemicals specified in list A of this annex:

(a) A detailed description of activities related to these chemicals including, as applicable, material-flow and process-flow diagrams, chemical reactions and end-use;

(b) A list of equipment used in activities related to these chemicals;

(c) The production capacity for these chemicals.

9. In addition to information specified in paragraph 6 of this annex, the following information shall be provided for each site or facility that is or will be involved in production or processing of organophosphorus chemicals or in production of organic chemicals by chlorination:

(a) A detailed description of activities related to the relevant chemicals, and the end-uses for which the chemicals are produced or processed;

(b) A detailed description of the processes used in the production or processing of organophosphorus chemicals or in the production of organic chemicals by chlorination, including material-flow and process-flow diagrams, chemical reactions and list of equipment involved.

10. The information on each import to be provided under section C of the Plan shall include:

(a) Specification of each item and the quantity imported and the purpose of its use in Iraq;

(b) Country from which the item is imported and the specific exporter;

(c) Point or port and time of entry of the item into Iraq;

(d) Site or facility where it is to be used;

(e) Name of the specific importing organization in Iraq.

Annex III

Provisions related to biological items

1. The following list contains equipment and other items relevant to the acquisition of biological and toxin weapons or biological and toxin weapons capability:

(a) Detection or assay systems specific for risk groups IV, III and II micro-organisms and toxins;

(b) Biohazard containment equipment;

(c) Equipment for the micro-encapsulation of living micro-organisms;

(d) Complex media for the growth of risk groups IV, III and II micro-organisms;

(e) Bio-reactors and fermentation vessels;

(f) Recombinant deoxyribonucleic acid (DNA), equipment and reagents for its isolation, characterization or production and equipment and reagents for the construction of synthetic genes;

(g) Equipment for the release into the environment of biological material;

(h) Equipment for studying the aerobiological characteristics of micro-organisms or toxins;

(i) Equipment for breeding of vectors of human, animal or plant diseases.

2. The initial information under paragraphs 35 and 36 of the Plan to be provided not later than 30 days after the adoption of the Plan by the Security Council shall cover the period from 1 January 1986. Subsequent information shall be provided each 15 January and 15 July and shall cover the six-month period prior to the provision of the information. Notifications under paragraph 38 (a) of the Plan shall be provided not later than 60 days in advance.

3. Whenever the information that Iraq is required to provide under section D and this annex is equal to nil, Iraq shall provide nil returns.

4. The information on each site or facility to be provided under section D of the Plan shall include the following:

(a) The name of the site or facility and of the owner, company, or enterprise operating the facility;

(b) The location of the site or facility (including the address, geographic coordinates to the nearest second, the specific buildings and any structure numbers, location of the facility within any larger complex);

(c) The sources and amounts of financing of the site or facility and of its activities;

(d) The main purpose of the site or facility;

(e) The level of protection, including, as applicable, the number and size of maximum containment or containment laboratories (units);

(f) Scope and description of activities, including, as applicable, a list of types and quantities of micro-organisms, toxins or vaccines and equipment and other items specified in paragraph 1 of this annex;

(g) A list of micro-organisms and toxins, equipment and vaccines imported or uniquely isolated for the use of the site or facility, or exported, indicating the supplier or recipient countries involved.

5. The information on imports to be provided under paragraphs 35 (g) and 38 (a) of the Plan shall cover:

(a) Toxins and micro-organisms meeting the criteria for risk groups IV, III, and II according to the classification in the 1983 WHO Laboratory Biosafety Manual and genetic material coding for toxins or genes derived from the aforementioned micro-organisms;

(b) Equipment and facilities for the production, utilization or storage of micro-organisms meeting the criteria for risk groups IV and III according to the classification in the 1983 WHO Laboratory Biosafety Manual, genetic material coding for toxins or genes derived from the aforementioned micro-organisms, as well as of toxins or vaccines;

(c) Complex media for the growth of micro-organisms meeting the criteria for risk groups IV and III in quantities greater than 100 kilograms;

(d) Equipment for micro-encapsulation of living micro-organisms;

(e) Personnel or material for training or technical support services related to the design, development, use, manufacture or support of items specified in paragraph 35 (a) of the Plan and paragraphs 1 and 5 (a) of this annex;

and shall for each import into Iraq specify:

(a) Types and quantities of micro-organisms, toxins or vaccines;

(b) Quantities of any equipment or other items specified in paragraph 1 of this annex;

(c) Country from which the micro-organisms, toxins, vaccines or items are imported and the specific exporter;

(d) Point or port and time of entry into Iraq;

(e) Site or facility where it is to be used and purpose of its use.

(f) Name of the specific importing organization in Iraq.

6. The information under paragraph 37 of the Plan shall be provided within seven days of the occurrence and the standardized form contained in section III of the annex on confidence-building measures in document BWC/CONF.III/23/II shall be utilized as appropriate.

7. Iraq shall, not later than each 15 April, provide to the Special Commission the copies of the declarations, information and data that Iraq has sent to the United Nations Department for Disarmament Affairs pursuant to the agreements on confidence-building measures, including the exchange of information and data, reached at the Third Review Conference of the Parties to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on Their Destruction (document BWC/CONF.III/23/II and its annex on confidence-building measures).

Annex IV

Provisions related to missiles

1. The following list contains equipment, other items and technologies relevant to the development and manufacture of missiles that could be used in the development and manufacture of ballistic missiles capable of a range greater than 150 kilometres:

(a) Subsystems usable in missile systems that could be used in the development and manufacture of ballistic missiles capable of a range greater than 150 kilometres:

(i) Individual rocket stages;

(ii) Re-entry vehicles, and specially designed equipment therefor;

(iii) Solid- or liquid-fuel rocket engines;

(iv) Guidance sets;

(v) Thrust vector controls;

(vi) Warhead safing, arming, fuzing and firing mechanisms;

(b) Propulsion components and equipment that could be used in the development and manufacture of ballistic missiles capable of a range greater than 150 kilometres:

(i) Rocket-motor cases and production equipment therefor;

(ii) Staging mechanisms and production equipment therefor;

(iii) Liquid-fuel control systems and components therefor, specially designed to operate in vibrating environments of more than 12g/rms between 20/Hz and 2,000/Hz;

(iv) Propellants and constituent chemicals for propellants;

(v) Production technology or production equipment for the production, handling, mixing, curing, casting, pressing, machining and acceptance testing of the liquid- or solid-fuel missile propellants and propellent constituents;

(c) Guidance and control equipment that could be used in the development and manufacture of ballistic missiles capable of a range greater than 150 kilometres:

(i) Gyroscopes, accelerometers and inertial equipment and software therefor;

(ii) Flight control systems usable in missile systems;

(iii) Avionics equipment specially designed or modified for use in unmanned air vehicles or rocket systems and software and components therefor usable in missile systems;

(d) Equipment and technical data for the production of structural composites usable in missiles and components, accessories and software therefor that could be used in the development and manufacture of ballistic missiles capable of a range greater than 150 kilometres;

(e) Pyrolytic deposition and densification equipment and technology that could be used in the development and manufacture of ballistic missiles capable of a range greater than 150 kilometres;

(f) Launch and ground support equipment and facilities usable for missile systems that could be used in the development and manufacture of ballistic missiles capable of a range greater than 150 kilometres;

(g) Analog computers, digital computers or digital differential analysers usable in air vehicles, rocket systems or missile systems that could be used in the development and manufacture of ballistic missiles capable of a range greater than 150 kilometres;

(h) Test facilities and equipment usable for missile systems, to include vibration test equipment using digital control techniques, wind tunnels and test benches for solid- or liquid-fuel rockets that could be used in the development and manufacture of ballistic missiles capable of a range greater than 150 kilometres;

(i) Specially designed software or components for missile design, production or operation that could be used in the development and manufacture of ballistic missiles capable of a range greater than 150 kilometres;

(j) Materials and devices for reduced observables in missile systems that could be used in the development and manufacture of ballistic missiles capable of a range greater than 150 kilometres;

(k) Material and devices for protecting missile systems against nuclear effects that could be used in the development and manufacture of ballistic missiles capable of a range greater than 150 kilometres.

2. The initial information under paragraph 43 of the Plan to be provided not later than 30 days after the adoption of the Plan by the Security Council shall cover the period from 1 January 1988. Subsequent information shall be provided each 15 January and 15 July and shall cover the six-month period

prior to the provision of the information. Notifications under paragraph 44 of the Plan shall be provided not later than 14 days prior to the date of launch.

3. Whenever the information which Iraq is required to provide under section E of the Plan and this annex is equal to nil, Iraq shall provide nil returns.

4. The information on sites or facilities to be provided under section E of the Plan shall for each site or facility include:

(a) The name of the site or facility and of the owner, company or enterprise operating the site or facility;

(b) The location of the site or facility;

(c) The sources and amounts of the financing of the site or facility, and of its activities;

(d) A general description of all types of activities at the site or facility;

(e) List of equipment, other items and technologies specified in paragraph 1 of this annex used or present at the site or facility and their quantities;

(f) A detailed description of activities related to the equipment, other items and technologies specified in paragraph 1 of this annex.

5. The location of a site or facility shall be specified by means of the address and site diagram. Each diagram shall be drawn to scale and shall indicate the boundaries of the site or facility, all road and rail entrances and exits and all structures on the site or facility, indicating their purpose. If the site or facility is located within a larger complex, the diagram shall specify the exact location of the site or facility within the complex. On each diagram, the geographic coordinates of a point within the site or facility shall be specified to the nearest second.

6. The information on each import to be provided under section E of the Plan shall include:

(a) Specification of each item and the quantity imported and the purpose of its use in Iraq;

(b) Country from which the item is imported and the specific exporter;

(c) Point or port and time of entry of the item in Iraq;

(d) Project and site or facility where it is to be used;

(e) Name of the specific importing organization in Iraq.